



**Town of Leicester  
PLANNING BOARD**

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**[Project Name: Zoning Bylaw Amendments]**

**LEICESTER PLANNING BOARD  
PUBLIC HEARING NOTICE**

Pursuant to MGL Ch. 40A, Sec. 5, the Leicester Planning Board will hold a public hearing on Tuesday, May 4, 2021, starting at 7:00PM or as soon thereafter as may be heard to discuss proposed amendments to the Leicester Zoning Bylaws. The hearing will be held virtually using GoToMeeting. Members of the public can attend virtually by visiting <https://global.gotomeeting.com/join/281878021> or by phone at 1-877-309-2073 by using access code 281-878-021. The subject matter of proposed amendments is as follows:

Amend Sections 1.3 (Definitions), 3.2.03 (Schedule of Use, Business), and Section 5.15 (Medical Marijuana Treatment Centers and Marijuana Establishments) to allow for marijuana delivery and to increase the cap on marijuana retailers from 1 to 2 establishments.

The complete text relative to the proposed amendments is available for inspection at the Town Clerk's Office during regular business hours and on the Planning Board's web page on the Town of Leicester's website at [www.leicesterma.org](http://www.leicesterma.org).

Jason Grimshaw, Chair  
Leicester Planning Board

To be published in the Worcester Telegram & Gazette on Tuesday, April 20, 2021 and Tuesday, April 27, 2021.

**Zoning Bylaw Amendments:  
Marijuana Establishments  
4/10/2021**

***A. Amend Section 1.3 (Definitions), by inserting new definitions and amending existing definitions, as follows:***

**MARIJUANA COURIER:** an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from a Medical Marijuana Treatment Center, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of marijuana or marijuana products to consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: *Definitions* or 935 CMR 500.050: *Marijuana Establishments* and shall be subject to 935 CMR 500.050(1)(b): *Control Limitations*.

**MARIJUANA DELIVERY LICENSEE:** an entity that is authorized to deliver marijuana and marijuana products directly to consumers and as permitted, Marijuana Couriers to patients and caregivers

**MARIJUANA DELIVERY OPERATOR:** an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: *Definitions* or 935 CMR 500.050: *Marijuana Establishments* and shall be subject to 935 CMR 500.050(1)(b): *Control Limitations*.

**MARIJUANA ESTABLISHMENT:** a licensed Marijuana Cultivator, Marijuana Testing Facility, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Delivery Operator or any other type of licensed marijuana-related business or businesses at a single location except a medical marijuana treatment center.

**MARIJUANA ESTABLISHMENT, NON-RETAIL:** a marijuana establishment that does not involve on-site retail sales to consumers, including Marijuana Cultivators, Marijuana Product Manufacturers that only sell to Marijuana Establishments but not consumers, Marijuana Testing Facilities, and Marijuana Transportation or Distribution Facilities. Not to include Marijuana Outdoor Cultivator or Marijuana Delivery Operator. *[amended ATM 6/2/2020]*

**MARIJUANA RETAILER, CONSUMER SALES ONLY:** a marijuana establishment that involves on-site retail sales to consumers and may also involve delivery to consumers by Marijuana Courier, excluding Marijuana Social Consumption Operators.

***B. Amend Section 3.2.03, by inserting new use #23 (and renumbering later uses), as follows:***

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
23.	<u>Marijuana Delivery Operator</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>Y</u>

***C. Amend Section 5.1.5.02.I, as follows:***

I. Limitations

Marijuana Retailers, Consumer Sales Only shall be limited to ~~4 establishment~~ 2 establishments in the Town of Leicester.